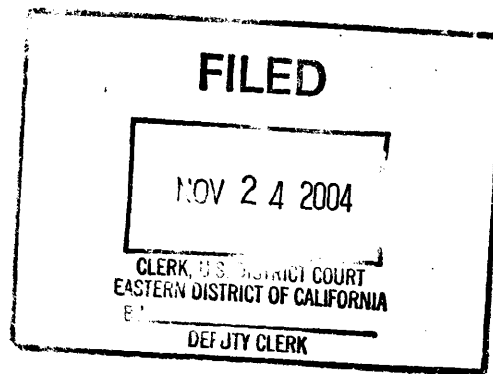


ORIGINAL

1 Alan J. Kessel (Cal. Bar No.: 130707)
2 Suzanne M. Burke (Cal. Bar No.: 188597)
3 Kimberly R. Colombo (Cal. Bar No.: 210451)
4 **BUCHALTER, NEMER, FIELDS & YOUNGER**
5 A Professional Corporation
6 18400 Von Karman Avenue, Suite 800
Irvine, California 92612-0514
Telephone: (949) 760-1121
Facsimile: (949) 720-0182

Attorneys for Plaintiff DIRECTV, INC.

LODGED



8 NOV 23 2004
9 CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
10 BY *[Signature]*
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

11 DIRECTV, INC., a California corporation,
12 Plaintiff,
13 vs.
14 JOHN LAWRENCE, et al.,
15 Defendants.

Case No. 02-CV-2579 DFL (PAN)

Hon. David F. Levi

**REQUEST FOR VOLUNTARY DISMISSAL
OF DEFENDANT JOHN LAWRENCE;
[PROPOSED] ORDER THEREON**

16
17
18 Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff DIRECTV, Inc. ("DIRECTV")
19 hereby respectfully requests that the Court enter an Order dismissing the above-captioned action
20 with prejudice as to Defendant JOHN LAWRENCE ("Defendant") **only**. This request is made on
21 the grounds that Defendant and DIRECTV have entered into an agreement settling this matter.
22 Pursuant to the terms of that agreement, DIRECTV agreed to voluntarily dismiss this action
23 against Defendant, each party to bear its own attorneys' fees and costs incurred in this action to
24 date.

25 Defendant answered the Complaint on or about February 20, 2003. DIRECTV,
26 therefore, cannot unilaterally voluntarily dismiss this action against Defendant absent a Court
27 order. Fed. R. Civ. P. 41(a). Accordingly, DIRECTV respectfully requests the entry of such an
28 order dismissing Defendant with prejudice.

1 Defendant JOHN LAWRENCE is the last remaining active Defendant in this
2 action. This entire action as to all remaining claims is therefore terminated in full.]

3 DATED: November 17, 2004

Respectfully Submitted,

4 BUCHALTER, NEMER, FIELDS & YOUNGER
5 A Professional Corporation

6 By: 

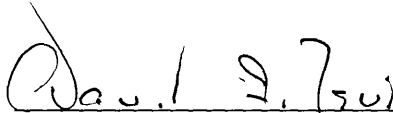
7 Kimberly R. Colombo
8 Attorneys for Plaintiff DIRECTV, Inc.

9 **ORDER**

10 Having read the foregoing Request for Voluntary Dismissal of Defendant JOHN
11 LAWRENCE filed by Plaintiff DIRECTV, Inc., and such other pleadings and papers deemed
12 appropriate by the Court, and GOOD CAUSE appearing therefore, the Court ORDERS as
13 follows:

- 14 1. This action is hereby dismissed with prejudice as against Defendant JOHN
15 LAWRENCE only;
- 16 2. Each party shall bear its own attorney's fees and costs incurred in this action to
17 date; and]
- 18 3. As Defendant JOHN LAWRENCE is the last remaining active Defendant in this
19 action, this entire action as to all remaining claims is hereby terminated in full.

20 DATED: 11/23/2004

21 

22 Honorable David F. Levi
23 Judge of the United States District Court
24 Eastern District of California

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PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is at BUCHALTER, NEMER, FIELDS & YOUNGER, A Professional Corporation, 18400 Von Karman Avenue, Suite 800, Irvine, California 92612-0514.

On November 22, 2004, I served the foregoing document described as: **REQUEST FOR VOLUNTARY DISMISSAL OF DEFENDANT JOHN LAWRENCE; [PROPOSED] ORDER THEREON** on all other parties and/or their attorney(s) of record to this action by placing a true copy thereof in a sealed envelope as follows:

John W. Lawrence, Esq.
John W. Lawrence Attorney At Law
P.O. Box 912
122 Third Street
Yreka, CA 96097

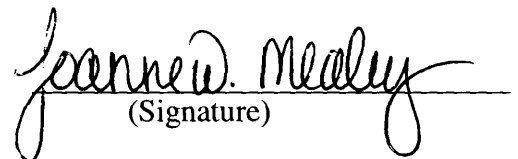
Counsel for Defendant, John Lawrence

[X] BY MAIL I am a resident of, or employed in, the county where the mailing occurs; I am over the age of 18 years and am not a party to the cause. I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. The correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. The address(es) shown above is(are) the same as shown on the envelope. The envelope was placed for deposit in the United States Postal Service at Buchalter, Nemer, Fields & Younger in Irvine, California. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on that date following ordinary business practices.

[X] I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on November 22, 2004, at Irvine, California.

Joanne D. Mealey


(Signature)

United States District Court
for the
Eastern District of California
November 24, 2004

* * CERTIFICATE OF SERVICE * *

2:02-cv-02579

Directv Inc

v.

Lawrence

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on November 24, 2004, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

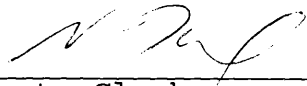
Kimberly R Colombo HV/DFL
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John W Lawrence Esq
PO Box 912
Yreka CA 96097

* FT 2/4/05, Total 3/20/05

Jack L. Wagner, Clerk

BY: 
Deputy Clerk